

**Protocol  
for  
Incidental Take Authorization**

**Henslow's sparrow (*Ammodramus henslowii*)**

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**Note**

*If carrying out a given protocol is not feasible, or multiple listed species in a given management area pose conflicts, contact the Bureau of Endangered Resources at 608/264-6057. Staff in BER will work with Integrated Science Services (Research) staff, species experts and managers to establish an acceptable protocol for a given site that will allow for incidental take without further legal Consultation or public notice*

**I. Species Background Information**

**A. Status**

**State Status:** Threatened

**USFWS Region 3 Species of Management Concern?** Yes

**Breeding Distribution and Abundance in Wisconsin:** Irregularly or locally distributed as a breeding species, potentially statewide but primarily in the southern 4/5 of the state, south of a line from Granstburg to Phillips, Antigo, southern Marinette County, and Door County. It is uncommon in the southwest, southeast, and central parts of the state and rare in the northern portions.

**Global Range:** Breeds from southeastern South Dakota and Minnesota, north-central Wisconsin, northern Michigan, southern Ontario, northern New York, and southern Quebec, south to central Kansas, northeastern Oklahoma, southwestern and central Missouri, southern Illinois, northern Kentucky, central West Virginia, eastern Virginia, northern Tennessee, and central and eastern North Carolina. Winters from South Carolina south to southern Florida, and west to Arkansas and southeastern Texas.

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## B. Habitat

**General Habitat Description:** Typically found in habitats with relatively tall and dense vegetation dominated by grasses but often with some scattered stiff-stemmed forbs used as perches for singing. Requires habitats with both significant standing residual vegetation and a dense litter layer present in spring and throughout the breeding season. Most often occurs on mesic or wet-mesic sites, less often on thin, dry soils. Some scattered shrubs are tolerated, however the total cover of woody vegetation taller than 3 feet is typically less than 2%. Tends to prefer fields of native warm-season grasses (e.g., switchgrass, big bluestem, Indian grass, little bluestem) but also can occur abundantly in cool-season grass fields (e.g., smooth brome, timothy, quack grass, orchard grass, and sometimes even reed canary grass and Kentucky bluegrass). Tends to prefer slightly patchy, heterogeneous cover, which is often associated with bunchgrasses. Typical habitats in Wisconsin include idle warm- and cool-season grass fields (e.g., Conservation Reserve Program (CRP) fields, wildlife area plantings), old fields, retired pastures, and wet-mesic to wet prairies. Can also occur in lightly grazed pastures, hayfields, open bogs, sedge meadows, and savannas. Sometimes occurs in high densities in central Wisconsin sphagnum bogs that have been mossed commercially.

**Critical Habitat Features:** Presence of a well-developed litter layer and a relatively high amount of standing residual vegetation in spring. However, some birds arriving late (i.e., after 31 May) will use sites such as hayfields or areas burned in the previous March or April, avoided by early-arriving birds.

## C. Life History

**Territory Size/Home Range:** Territory size ranges from 0.7 to 2.5 acres. No information on home range.

**Does Species Nest Colonially?** Can breed in loose colonies.

**Site Fidelity:** Poorly known, but existing data do not support strong site fidelity.

**Nest Location and Height:** Typically on ground or up to 3 inches above ground; occasionally up to 20 inches above ground.

**Number of Generations/Broods per Year:** Two; possibly 3.

**Resident or Migrant?** Short-distance migrant; winters in southern U.S. from South Carolina to eastern Texas.

**Breeding Season Dates for Wisconsin:**

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**Arrival in spring:** Mid-April to late May, with most occurring between 1 and 20 May.

**Dates for nests with eggs:** 22 May to 11 July.

**Last known date for hatchlings:** 10 August (from Wisconsin Breeding Bird Atlas); also September (date unspecified, Kumlien and Hollister, The Birds of Wisconsin, 1903).

**Peak nesting period (period with 70%-80% of active nests):** Unknown, but probably between 25 May and 5 August.

**Does Species Re-Nest after Failed First Nest Attempts?** Yes.

**Length of Breeding Cycle (cumulative time required for nest-building, egg-laying, incubation, and hatchling stages, to the time of fledging):** 26-32 days.

## II. Management Protocol For Authorized Incidental Take

If the management activity is for the purpose of recovering, maintaining or improving the grassland, prairie or savanna ecosystem that includes habitat for Henslow's sparrow, then incidental take is allowed if these conditions are followed:

### A. **Burning, Mowing, Grazing, Selective Brush/Tree-cutting, and Herbicide Use:**

1. If any of the above management activities are to occur at a site (see definitions below) between 16 August and 19 May,

then there are no restrictions on the activities, as take is avoided under these circumstances.

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2. If any of the above management activities are to occur at a site between 20 May and 15 August,

then incidental take is allowed as described under the following conditions:

- a) **Burning, Mowing, Grazing, and Prairie or Savanna Plantings (where permanent grass cover already exists):**

Allowed on up to 1/3 of the site, as long as a minimum of 40 contiguous acres of the site is left unmanaged.

- b) **Selective Brush/Tree-cutting:**

As long as precautions are taken to avoid unnecessary trampling or crushing of herbaceous vegetation, there are no restrictions on this activity.

- c) **Herbicide Use:**

- (i) If herbicide is being used to control woody vegetation

then there are no restrictions on this activity as long as precautions are taken to avoid drift of chemicals onto adjacent herbaceous vegetation.

- (ii) If the herbicide is being used to control herbaceous weeds,

AND

- (a) if the herbicide use consists of spot treatment of localized infestations of noxious weeds,

then there are no restrictions on this activity as long as precautions are taken to avoid drift of chemicals onto adjacent herbaceous vegetation.

- (b) if the herbicide use consists of broadcast spraying of large areas,

then the activity may be employed only under consultation with the DNR Bureaus of Endangered Resources and Integrated Science Services.

### **Survey Protocol**

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For Presence / Absence Surveys:

Personnel must be able to identify Henslow's sparrows in the field by song and by sight.

Survey period: 20 May – 15 August.

Weather conditions: No rain, wind  $\leq 10$  mph.

Time of day: Conduct surveys between 30 minutes before sunrise and 10 a.m.

Number and timing of surveys: At least two surveys (preferably 3) must be conducted prior to the initiation of any management activities, preferably at least 4 days apart (3 days apart if management is to occur before 23 May), including at least one survey < 1 week prior to proposed management activity.

Size of area surveyed: Entire area to be subjected to management that contains suitable nesting habitat for Henslow's sparrow.

Method: Mark the entire area with parallel line transects spaced 110 yards apart. The outer-most lines should be  $\leq 55$  yards from the site edge. Survey the site by walking slowly along each line transect, stopping every 110 yards for 3 minutes. Record on a map all Henslow's sparrows seen or heard at each 110 yard stop and while walking between stops.

## Definitions

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**Definition of “Site” for Henslow’s sparrow:** Any area or patch of habitat suitable for Henslow’s sparrows (see habitat description above), designated as a management unit, as well as any directly contiguous suitable habitat within a given property ownership, or across ownerships where survey and management agreements for the species are in place. Site also refers collectively to groups of more than one patch of suitable Henslow’s sparrow habitat (plus any contiguous suitable habitat, as above) in a management area. The suitable habitat patches in these management areas must be grouped in close proximity (i.e., the average distance between patches is 1/2 mile or less). Examples of management areas include properties such as some DNR Wildlife Areas, State Parks, State Natural Areas, and Recreation Areas.